

EXHIBIT 10

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEW HAMPSHIRE
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4 _____)
5)
6 DERICK ORTIZ, individually)
and on behalf of all others)
7 similarly situated,)
Plaintiff,)
8 vs.) Case No.
9 SIG SAUER, INC.,) 1:19-cv-01025-JL
Defendant.)
10 _____)
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14 REMOTE VIDEOTAPED DEPOSITION OF SEAN MANNING
15 Dover, New Hampshire
16 Friday, May 7, 2021
17 Volume I
18
19
20

21 Reported by:
CHRIS TE SELLE
22 CSR No. 10836
23 Job No. 4563338
24

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<p>1 different. Did you ever hear of any drop fire 01:27:12</p> <p>2 incidents with the Sig P320, whether in testing or</p> <p>3 otherwise?</p> <p>4 A. Yes, and I was saying we were notified</p> <p>5 about the upgrade program, which had happened after 01:27:23</p> <p>6 a, there was a lot in social media about a 320</p> <p>7 firing when dropped.</p> <p>8 Q. And do you have any understanding of what</p> <p>9 happened there?</p> <p>10 A. I don't have all the details of the 01:27:53</p> <p>11 situation when it did fire. I heard that it</p> <p>12 happened, and there was a lot of, Sig was getting a</p> <p>13 lot of backlash, and, shortly after that, there was</p> <p>14 the upgrade program.</p> <p>15 Q. Was White Birch selling the P320 at that 01:28:15</p> <p>16 time?</p> <p>17 A. Yes. We did go through our bound book,</p> <p>18 and facilitated customers in sending in their</p> <p>19 firearms.</p> <p>20 Q. How did you do that? 01:28:39</p> <p>21 A. We had retained all of the forms, the</p> <p>22 background check forms, got ahold of them either</p> <p>23 through calling them or e-mailing them, whichever</p> <p>24 information that we had, so that they were aware.</p> <p>25 Some of them -- 01:29:09</p> <p style="text-align: right;">Page 98</p>	<p>1 you'd get a RMA, and then send it in to be repaired 01:31:02</p> <p>2 or upgraded.</p> <p>3 Q. And then Sig would send it back?</p> <p>4 A. Correct.</p> <p>5 Q. And, did you know how long that process 01:31:24</p> <p>6 took?</p> <p>7 A. I do not recall. I think it was,</p> <p>8 generally, a pretty quick turnaround. Maybe a</p> <p>9 matter of weeks.</p> <p>10 Q. Were you ever aware that the P320 was sold 01:32:54</p> <p>11 to the military?</p> <p>12 A. Yes. The MHS program.</p> <p>13 Q. What's the MHS program?</p> <p>14 A. The modular handgun system.</p> <p>15 Q. And did you ever become aware that the 01:33:11</p> <p>16 military reported drop fire issues with the P320?</p> <p>17 MR. GIBSON: Objection to form and foundation.</p> <p>18 You can answer.</p> <p>19 THE WITNESS: I wasn't involved in</p> <p>20 corresponding with the military testers, so I didn't 01:33:32</p> <p>21 know that they had done their own individual tests,</p> <p>22 and had that same primer ignition.</p> <p>23 BY MR. ARISOHN:</p> <p>24 Q. You never heard anything about the</p> <p>25 military's, military taking issue with the drop 01:33:52</p> <p style="text-align: right;">Page 100</p>
<p>1 Q. And did you -- please, finish. 01:29:09</p> <p>2 A. Some of them opted in, others opted out.</p> <p>3 Q. So, some people decided to get their P320</p> <p>4 repaired, and some didn't?</p> <p>5 A. Correct. 01:29:25</p> <p>6 Q. Do you know why some people decided not to</p> <p>7 use the voluntary upgrade?</p> <p>8 A. Some of them just didn't feel the need to</p> <p>9 go through the process. They were, they were okay</p> <p>10 with the firearm as it was. Others had mentioned 01:29:47</p> <p>11 that there was a change in how the trigger, the</p> <p>12 trigger pull felt, and they, they wanted to keep</p> <p>13 their firearm as is.</p> <p>14 Q. And do you know what the change for the</p> <p>15 trigger pull was? 01:30:10</p> <p>16 A. I do not. They had just said that there</p> <p>17 was a difference in feel. I don't know if it was a</p> <p>18 harder, softer, less smooth trigger pull. I don't</p> <p>19 know.</p> <p>20 Q. For your customers who wanted to utilize 01:30:33</p> <p>21 the voluntary upgrade program, what was that, what</p> <p>22 did that process entail, do you know?</p> <p>23 A. Most of that was handled by our sales</p> <p>24 managers. I believe we had, there was a website,</p> <p>25 plug in your, the serial number of the firearm, 01:30:58</p> <p style="text-align: right;">Page 99</p>	<p>1 fires in the P320? 01:33:57</p> <p>2 A. I know the --</p> <p>3 Q. Go ahead.</p> <p>4 A. I know the 320s, the changes that they</p> <p>5 were making for the upgrade, they didn't make that 01:34:04</p> <p>6 change to the MHS firearms. I didn't recall that</p> <p>7 it, that it had originated from a test result from</p> <p>8 the military, or if that was already in the works,</p> <p>9 and it was concurrent.</p> <p>10 Q. Did any of those issues with the military 01:34:30</p> <p>11 happen while you were at Sig?</p> <p>12 A. When did the MHS testing start?</p> <p>13 Q. I'm just asking you if you recall any of</p> <p>14 those issues arising while you were at Sig.</p> <p>15 A. I don't believe so. 01:34:54</p> <p>16 MR. ARISOHN: Okay, I don't have any other</p> <p>17 questions.</p> <p>18 Anything?</p> <p>19 MR. GIBSON: Nothing from me.</p> <p>20 MR. ARISOHN: Okay, great. Thank you, Mr. 01:35:09</p> <p>21 Manning, I appreciate your time.</p> <p>22 THE WITNESS: Thank you.</p> <p>23 MR. GIBSON: Josh, if you could just remember</p> <p>24 to get me something on Jordan from Joe, just so we</p> <p>25 can -- 01:35:17</p> <p style="text-align: right;">Page 101</p>